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MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

This Document Prepared By: Security Abstract & Title Co, Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 515-462-1691
Return to: Warren Water, Inc., 1204 E. 2nd St., Indianola, IA 50125 Telephone: 515-962-1200

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

M. Lucile Smith, Vera M. Smith, Janet L. Loomis, Nancy A. Brant, S. James Smith and Vanna S. Smith, hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable Consideration, hereby grant and convey unto Warren Water, Inc., hereinafter referred to as GRANTEE, its successors and assigns, a perpetual easement with the right to erect, construct, install, lay and thereafter use, operate, inspect, repair, maintain, replace and remove waterlines and appurtenances thereto, over, across and through the land of the GRANTORS situated in Madison County, Iowa, being more specifically described as follows:

See attached Exhibit "A"

and locally known as: Juniper Lane
together with the right of ingress and egress over the adjacent lands of the GRANTORS, their successors and assigns, for the purposes of this easement.

The Easement shall be 32 feet in width, the centerline of which shall be the water pipeline and the necessary appurtenances thereto.

It is agreed that, during the period of initial construction, ~~no~~ crop damage will be paid by the GRANTEE. The GRANTEE, its successors and assigns, hereby promise to maintain such water pipeline and any necessary appurtenances in good repair so that damage to adjacent real estate of GRANTORS, if any damage there be, will be kept to a minimum.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 10th
day of December, 2003.

M. Lucile Smith
M. Lucile Smith

Vera M. Smith
Vera M. Smith

Janet L. Loomis
Janet L. Loomis

Nancy A. Brant
Nancy A. Brant

S. James Smith
S. James Smith

Vanna S. Smith Anderson
Vanna S. Smith Anderson

M7-0527

STATE OF IOWA, Madison COUNTY, ss:

On this 10th day of December, 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me Vanna S. Anderson
S. James Smith, Vera M. Smith, Nancy A. Brant, Janet L. Loomis
known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Richard L. Wood
Notary Public

Exhibit "A"

The South One-half of the Northeast Quarter (S1/2 NE1/4) Section Thirty-three (33) Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, EXCEPT, Commencing at the Northwest (NW) Corner of the S1/2 NE1/4 of Section Thirty-three (33), Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence East along the North line of said S1/2 385 feet; thence South 350 feet; thence West 385 feet to the West line of said S 1/2; thence North 350 feet to the point of beginning.

AND

The Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) Section Thirty-four (34), Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa,

AND

The Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) Section Thirty-four (34) Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except: Commencing at the Southwest (SW) Corner of Section Thirty-four (34) Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence N 00°00'00" 422.49 feet along the West line of the Southwest Quarter (SW1/4) of said Section Thirty-four (34) to the point of beginning, thence continuing North 00°00'00" 275.51 feet along said West line; thence South 89°21'54" E 200.28 feet; thence South 00°49'39" W 275.50 feet; thence North 89°21'48" W 196.30 feet to the point of beginning. Said excepted tract contains 1.25 acres including 0.21 acres of county road right-of-way, and, except: Beginning at the Southwest Corner of Section Thirty-four (34) Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 89°32'06" E 355.39 feet along the South line of the Southwest Quarter (SW1/4) of said Section Thirty-four (34), thence North 00°11'00" W 415.68 feet; thence North 89°21'48" 354.07 feet South 00°00'00" 422.49 feet to the point of beginning, said second excepted tract contains 3.41 acres including 0.1 acres of county road right-of-way.

STATE OF IOWA, Madison COUNTY, IOWA, SS:

On this 10th day of December, 2003, before me, the undersigned a Notary Public in and for the state of Iowa, personally appeared

S. James Smith as attorney in fact, and acknowledged the execution of the instrument to be the voluntary act and deed by him voluntarily executed.

Richard L. Wood
Notary Public

